

2/4/71

Mr. Raymond P. Boulanger, Assistant to the General Counsel  
Department of the Army  
Washington, D.C. 20310

Dear Mr. Boulanger,

Your letter dated February 25 arrived when I was out of town. With my experiences of the past, I presume there are parts of the Army to which this may not be news.

First of all, I resent and protest the inference that I am a liar, contained in your words, "I have attempted to locate your earlier letter of December 25, 1970, which you claim to have sent to Secretary Agnew." There is neither cause nor justification for such sneering language, least of all under the existing circumstances. I enclose a copy. If you doubt it was written when I said it was, I am confident several members of the Senate have dated copies.

That you cannot find a copy now I have no way of challenging. That it reached the Army I am certain. My envelopes have printed return addresses on them. With your own omissions, I do not believe any disappearance is accidental.

In my letter to Mr. Jordan, which it took you a month to getting around to, I began by asking to be put in a position to make formal request for public information under 5 U.S.C. 552. To this you make no response. That did not require that you have the allegedly non-delivered earlier letter. Ought it be necessary for a private citizen to remind the assistant to the General Counsel of the Army that the primary obligation imposed upon him by this law is promptness? My first request for the information and any regulations you require for use of this law was written in December. It is not March. It is a disgrace that the overblown Army, contemptuous for the law and a law unto itself, has the raw power to get away with such transgressions against the law and the rights of citizens under it.

You must be aware that with as long a delay I could have gone to district court under the law. Must citizens create more scandals to get what the law defines as public information from their government, even to get the means of complying with its regulations?

I must also protest the cavalier conclusion of your insulting letter, that after you get a copy of my December letter you will then "consider" my request for the information and regulations required to be sent me, properly, I suggest, automatically. Your words are, "...taken under consideration".

I expect this information immediately. If there is any delay in its reaching me, I will consider going into district court. And I think that with regard to the other requests, going back to December -last year- somebody in the Army ought to be getting ashamed enough to be fairly prompt.

Sincerely,

Harold Weissberg